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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 CLINTON WAYNE WARRINGTON,

11 Defendant.

Case No. 2:18-cr-146-KJD-NJK

PROPOSED FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND  
ORDER

12  
13 FINDINGS OF FACT

14 The parties have filed a Stipulation to Vacate Calendar Call and Trial and Set a Change of  
15 Plea. Calendar Call and Trial are currently set for and Tuesday, September 18, 2018 at 9:00 a.m.  
16 and Monday, September 24, 2018 at 9:00 a.m. respectively. The parties request the Court set a  
17 Change of Plea at the soonest date and time reasonably available on the Court's calendar.

18 Defendant WARRINGTON is in custody and agrees to this stipulation.

19 The United States and defendant WARRINGTON have formed a Plea Agreement.

20 Defendant WARRINGTON is in primary state custody. As a term of the Plea Agreement,  
21 the parties have stipulated and agreed to jointly recommend a downward departure to the sentence to  
22 confinement under United States Sentencing Commission Guideline 5G1.3(d) and the sentencing  
23 factors set out in Title 18, United States Code, Section 3553 equal to the time the defendant is held  
24 in primary state custody between May 16, 2018 and the date of sentencing in this matter, unless the

1 defendant commits any act that could result in a loss of the downward adjustment for acceptance of  
2 responsibility.

3 This is the second request to continue as to defendant WARRINGTON.

4 CONCLUSIONS OF LAW

5 The time requested by this Stipulation is excludable in computing the time within which the  
6 trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections  
7 3161(h)(1)(G) and 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
8 Section 3161(h)(7)(B)(i) and (iv).

9 ORDER

10 IT IS HEREBY ORDERED, based upon the stipulation between the United States and defendant  
11 WARRINGTON, the record in this case and for good cause shown, that the Calendar Call and Trial  
12 in this matter as to defendant WARRINGTON, currently set for and Tuesday, September 18, 2018 at  
13 9:00 a.m. and Monday, September 24, 2018 at 9:00 a.m. respectively, are hereby vacated.

14 IT IS FURTHER ORDERED that a Change of Plea is set for Wednesday, October 17, 2018  
15 at the hour of 9 : 00 a.m. in Las Vegas Courtroom 4A.

16 IT IS FURTHER ORDERED that a Calendar Call is set for Tuesday, October 23, 2018 at  
17 the hour of 9 : 00 a.m. in Las Vegas Courtroom 4A and Trial is set for  
18 Monday, October 29, 2018 at the hour of 9 : 00 a.m. in Las Vegas Courtroom  
19 4A.

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1 IT IS FURTHER ORDERED that the United States Marshals Service shall transport and present  
2 defendant WARRINGTON at the Change of Plea so set.

3 IT IS SO ORDERED this September 17, 2018:

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UNITED STATES DISTRICT JUDGE  
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**BRIAN PUGH**  
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Attorney for Clinton Wayne Warrington

DATED: September 17, 2018

//s//  
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 DANIEL J. COWHIG  
 Assistant United States Attorney